

FILED: September 29, 2023

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 23-1890
(8:23-cv-01380-DLB)

TAMER MAHMOUD; ENAS BARAKAT; JEFF ROMAN; SVITLANA ROMAN; CHRIS PERSAK; MELISSA PERSAK, in their individual capacities and ex rel. their minor children; KIDS FIRST, an unincorporated association

Plaintiffs - Appellants

v.

MONIFA B. MCKNIGHT; SHEBRA EVANS; LYNNE HARRIS; GRACE RIVERA-OVEN; KARLA SILVESTRE; REBECCA SMONDROWSKI; BRENDA WOLFF; JULIE YANG; MONTGOMERY COUNTY BOARD OF EDUCATION

Defendants - Appellees

DOUGLAS LAYCOCK, Professor; RICHARD W. GARNETT, Professor; HELEN M. ALVARE, Professor; THOMAS C. BERG, Professor; MICHAEL W. MCCONNELL, Professor; NICHOLAS BROWN; ZEINA EL DEBS; TIMOTHY JANSS; DAGMAR JANSS; STEPHANIE PATE; JEWISH COALITION FOR RELIGIOUS LIBERTY; COALITION OF VIRTUE; ISLAM AND RELIGIOUS FREEDOM ACTION TEAM; COALITION FOR JEWISH VALUES; COMMONWEALTH OF VIRGINIA AND 17 OTHER STATES; ETHICS AND PUBLIC POLICY CENTER

Amici Supporting Appellant

O R D E R

Appellants' motion for injunction pending appeal does not meet the high burden required for such relief. *See Nken v. Holder*, 556 U.S. 418 (2009); *Ohio Citizens for Responsible Energy v. Nuclear Regul. Comm'n*, 479 U.S. 1312, 1312 (1986). Accordingly, the motion is denied. However, oral argument on appellants' appeal shall be scheduled during the Court's December 5–8, 2023, term and the briefing schedule shall be amended accordingly.

Entered at the direction of Judge Agee with the concurrence of Judge Quattlebaum and Judge Benjamin.

For the Court

/s/ Nwamaka Anowi, Clerk